

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JANE DOE, *et al.*,

Plaintiffs,

vs.

ROB STRECK MONTGOMERY
COUNTY SHERIFF, *et al.*,

Defendants.

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Case No. 3:20cv513

JUDGE WALTER H. RICE

DECISION AND ENTRY DISMISSING CAPTIONED CAUSE, WITHOUT
PREJUDICE, FOR WANT OF PROSECUTION; TERMINATION ENTRY

On July 22, 2022, this Court filed a Decision and Entry (Doc. #37) granting leave of Plaintiffs' counsel to withdraw as counsel of record for Jane Does 1, 2 and 3. In said Decision and Entry, this Court stated:

"It is the order of this Court that the aforesaid Jane Doe 1, 2 and 3 either secure successor counsel within 30 days' time [of the notice of withdrawal of their counsel] and so notify the Court, or in the alternative, advise that they wish to proceed *pro se* (on their own). This Court would direct Plaintiffs' withdrawing counsel to serve a copy of this Court's Order on each of Jane Doe 1, 2 and 3 at their last known addresses.

"Should this Court not hear from the aforesaid Plaintiffs, within the 30-day period of time set forth above, this Court will conclude that they no longer have any wish to prosecute this lawsuit."

As of the dictation of this Decision and Entry, on September 1, 2022, this Court has heard nothing from either one or more or all of the Plaintiffs Jane Doe 1, 2 and 3. Moreover, this Court assumes that Plaintiffs' withdrawing counsel honored this Court's

request to serve a copy of this Court's Order on each of Jane Doe 1, 2 and 3 at their last known addresses.

Accordingly, not having heard from any of the three Plaintiffs whose counsel has withdrawn, this Court dismisses the captioned cause, without prejudice, due to want of prosecution. Should any of the aforesaid Plaintiffs wish to refile this case, they must first seek leave of Court to do so. After hearing from the Defendants, the Court will decide whether to permit such a refiling and, if so permitted, what conditions Plaintiffs must satisfy before such leave is granted.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

September 1, 2022



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record

Courtesy copy:

Michael Pendlebury Lewis
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